

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

JESSICA JONES, et al.,

Plaintiffs,

v.

Varsity Brands, LLC, et al.

Defendants.

Case No. 2:20-cv-02892-SHL-tmp

JURY DEMAND

**PLAINTIFFS' MOTION FOR LEAVE TO FILE REPLY IN SUPPORT OF
PLAINTIFFS' MOTION FOR LEAVE TO AMEND**

Plaintiffs Jessica Jones and Christina Lorenzen (Plaintiffs") move for leave to file a Reply, attached as Exhibit A,¹ in Support of their Motion for Leave to Amend, ECF No. 343. In support of this Motion, Plaintiffs assert as follows:

1. On August 23, 2022, Plaintiffs filed their Motion for Leave to Amend. ECF No. 343.
2. On September 6, 2022, Defendants filed their Opposition to Plaintiffs' Motion. ECF No. 349.
3. In Defendants' Opposition, Defendants cite to two documents that they claim show that "Plaintiffs knew the identity of these investors well before the deadline for seeking leave to amend their complaint." ECF No. 349 at 4. Plaintiffs wish to address these two

¹ Plaintiffs are only attaching as Exhibit A their proposed reply memorandum, and not the accompanying declaration of David Seidel that Plaintiffs propose filing in support. The declaration will attach the documents that Defendants cite to, which must be filed under seal.

documents which do not support Defendants' argument. Plaintiffs also wish to attach the two documents that Defendants cite so that the Court has the full record before it.

4. Defendants' Opposition further states that "Plaintiffs easily could have, and per the scheduling order, should have, sought the leave to amend they now seek by the November 19, 2021, deadline." ECF No. 349 at 4. Plaintiffs disagree with this statement and wish to respond to Defendants' argument.

5. Finally, Defendants' Opposition argues that Plaintiffs' motion to add additional Charlesbank and Bain entities as defendants would be futile. Plaintiffs disagree and wish to respond to this argument as well.

6. For all the above reasons, Plaintiffs believe that a reply would be helpful to the Court, because it will allow Plaintiffs to address to arguments made by Defendants to which Plaintiffs have not had an opportunity to respond.

Dated: September 13, 2022

Respectfully submitted,

By: /s/ Joseph R. Saveri
Joseph R. Saveri

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CERTIFICATE OF CONSULTATION

I hereby certify, pursuant to Local Rule 7.2(a)(1)(B), that on September 9, 2022, my colleague, David Seidel, emailed counsel for Defendants (specifically Nicole Riccio, Matt Mulqueen, Grady Garrison, Brendan Gaffney, Paul Coggins, and Steven Kaiser) advising them that Plaintiffs intended to file a motion seeking the relief set out above and asking if they opposed. Matt Mulqueen responded on September 12, 2022, that “Defendants are not opposed to a reply if the Court concludes it would be helpful.”

/s/ Joseph Saveri

Joseph Saveri